

Keith Altman (*pro hac vice to be applied for*)
The Law Office of Keith Altman
33228 West 12 Mile Road, Suite 375
Farmington Hills, MI 48334
(516)456-5885
kaltman@lawampmmt.com

Attorney for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

DANIEL MACDONALD,

PLAINTIFF,

V.

THE UNIVERSITY OF ALASKA,
SARA CHILDRESS IN HER
INDIVIDUAL AND SUPERVISORY
CAPACITY, CHASE PARKEY IN
HIS INDIVIDUAL AND
SUPERVISORY CAPACITY, SEAN
MCCARTHY, JON TILLINGHAST,
AND JOHN DOES 1-25

DEFENDANTS.

Case: 1:20-cv-00001-SLG
Hon: Sharon L. Gleason

**PLAINTIFF'S MOTION FOR JUDICIAL NOTICE IN CONJUNCTION WITH
HIS MOTION FOR A TEMPORARY RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

NOW COMES Plaintiff, Daniel MacDonald, by and through his attorney Keith Altman of the Law Office of Keith Altman, respectfully move this Court pursuant to Fed.

R. Evidence 201 to take judicial notice of Defendant University of Alaska's policy of sexual harassment promulgated by the Board of Regents of the University of Alaska.

The document in question is attached as Exhibit "A" to this motion and corresponds to Exhibit "A" to Plaintiff's Emergency Motion for a Temporary Restraining Order and Preliminary Injunction pursuant to Fed. R. Civ. P. 65 filed under separate cover. This document is made available to the general public by the University of Alaska through their website located at <https://www.alaska.edu/bor/policy/01-04.pdf>. A court may take judicial notice of official documents appearing on a governmental website. See, e.g., *Daniels-Hall v. Nat'l Educ. Ass'n*, 629 F.3d 992, 998-99 (9th Cir. 2010) (judicial notice of information displayed on school district website); *Sinaloa Lake Owners Ass'n v. City of Simi Valley*, 864 F.2d 1475, 1479-80 & n.2 (9th Cir. 1989) ("We take judicial notice of these figures, contained in the reports of a public body, pursuant to Fed. R. Evid. 201(b)(2).")

The document in question is purported to be the official policies of the University of Alaska. Such representation is readily verifiable and it is unlikely that there would be any dispute as to the authenticity of the document. Furthermore, the document in question is referenced throughout Plaintiff's complaint. See ECF # 1, ¶¶ 29, 30, 118, 119, 120, 127, 131, 132, 140, and 148. Judicial notice of Exhibit "A" is appropriate.

For the reasons stated, Plaintiff Daniel MacDonald respectfully requests that this Honorable Court grant the motion.

Respectfully submitted,

Dated: April 15, 2020

/s/ Keith L. Altman
Keith Altman (*pro hac vice to be applied for*)
The Law Office of Keith Altman
33228 West 12 Mile Road, Suite 375
Farmington Hills, MI 48334
(516)456-5885
kaltman@lawampmmt.com

Attorney for Plaintiff

CERTIFICATE OF SERVICE

On April 15, 2020, I served a copy of the foregoing Plaintiff's Motion for Judicial Notice by ECF and e-mail to:

Sara Childress (sgchildress@alaska.edu)
Chase Parkey (ctparkey@alaska.edu)
Jon Tillinghast (jon@stsl.com)
Jim Johnsen (ua.president@alaska.edu) (President of University of Alaska)
Teresa Thompson (tathompson2@alaska.edu) (Executive Assistant to the President)
Michael Hostina (legal@alaska.edu) (General Counsel, University of Alaska)
Sean McCarthy (slmccarthy@alaska.edu)

/s/Keith Altman
Keith Altman

